

COMSTOCK et al  
Serial No. 09/716,440

Atty Dkt: 2380-287  
Art Unit: 2662

### REMARKS/ARGUMENTS

Claims 1-7, 10, 11, 14-25, 28, 31-41, 44, 45, 48-55, 58, 61-70, 73, 74, 77-84, 87, 90-96 and 102-105 are rejected under 35 USC §103(a) as being unpatentable by U.S. Patent 6,266,343 to Caves in view of U.S. Patent 6,728,261 to Sasson et al. All prior art rejections are respectfully traversed for at least the following reasons.

Each of Applicants' independent claims 1, 23, 31, 36, 53, 61, 65, 82, 90, and 94 refer to inserting a certain value in the **length indicator (LI) field** of a header of an AAL2 packet. Specifically:

- Independent claims 1, 36, and 65 concern using a predetermined value in the **length indicator (LI) field** in a header of one of the plural AAL2 packets to indicate the frame is transported by plural AAL2 packets.
- Independent claims 23, 53, and 82 concerning inserting a sequence number-related value in the **length indicator (LI) field** of a header of all but a last of the plural AAL2 packet.
- Independent claims 31, 61, and 90 concern inserting a predetermined number in the **length indicator (LI) field** of a header of all but a last of the plural AAL2 packets, the predetermined value serving as a notification that another AAL2 packet of the plural AAL2 packets carries subsequent data belonging to the frame.
- Independent claim 94 concerns a segmentation unit which inserts a predetermined value in the **length indicator (LI) field** in a header of one of the plural AAL2 packets to indicate the frame is transported by plural AAL2 packets; and a reassembly unit which detects the predetermined

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value in the length indicator (LI) and handles the one of the plural AAL2 packets as having segmented user data.

U.S. Patent 6,266,343 to Caves provides no basis for denying patentability of any of Applicants' claims. The office action completely misapprehends the teaching of Caves.

In U.S. Patent 6,266,343 to Caves, SSCS-PDUs (service specific convergence sublayer packet data units) are encapsulated into CPS (common part sublayer, of AAL2) packets by the addition of CPS packet headers (col. 3, lines 34+). Caves specifically discloses how information carried on an AAL1 cell stream is converted to an AAL2 cell stream (col. 3, lines 50+), discussing two options for converting structured data for transport via AAL2 (col. 4, lines 8+). Neither of these two options are pertinent to Applicants claims. Yet the office action points to the second option discussed in the latter portions of col. 4, i.e., a second embodiment in which the stream of AAL1 SAR-PDUs are segmented such that the AAL1 SAR-PDU pointer is guaranteed to be synchronous with the start of the AAL2 CPS packets. In his second embodiment, Caves ensures that the SAR-PDU headers only appear in CPS packets containing even sequence numbers.

In col. 3, lines 40 – 45 Caves states the classic format of an AAL2 packet header and only in that regard mentions the LI (length indicator) field (as having six bits). Never subsequently does Caves refer, directly or indirectly, to the LI (length indicator) field! Caves does not teach or suggest that the LI field be used for any purpose other than length indication. In fact, essentially the only CPS header field subsequently referenced by Caves is the UUI field (col. 4, 66+), which (because of Caves' segmentation) "contains a sequence number of some modulus, e.g., 2 or 4 or 8 or 16". Even concerning the UUI

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field, Caves does not manipulate the UUI field or ascribe a different function than normal, but instead capitalizes on naturally occurring values in the UUI field.

Thus, U.S. Patent 6,266,343 to Caves makes no teaching or suggestion of using an AAL2 field for anything other than its stated purposes, and certainly does not teach or suggest use of an LI (length indicator) field in the manner of Applicants' various independent claims. This deficiency of Caves is not appreciated in the office action, and neither is the secondary reference to U.S. Patent 6,728,261 to Sasson et al. alleged to (nor does it) cure the deficiency. Moreover, believing that Caves is so defective that it is unnecessary to do so now, Applicants reserve future right to contest whether combination of these two (or any other) references is proper.

### C. MISCELLANEOUS

In view of the foregoing and other considerations, all claims are deemed in condition for allowance. A formal indication of allowability is earnestly solicited.

The Commissioner is authorized to charge the undersigned's deposit account #14-1140 in whatever amount is necessary for entry of these papers and the continued pendency of the captioned application, including but not limited to extension of time fees.

Should the Examiner feel that an interview with the undersigned would facilitate allowance of this application, the Examiner is encouraged to contact the undersigned.

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